

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

KATHLEEN TURNER,

Plaintiff,

v.

EQUIFAX INFORMATION SERVICES

LLC, et al.,

Defendants.

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No. 2:24-cv-02334-SHL-atc

**ORDER GRANTING DISMISSAL WITH PREJUDICE AS TO DEFENDANTS
WAKEFIELD & ASSOCIATES, LLC AND TRANS UNION LLC**

Before the Court is Plaintiff Kathleen Turner’s Notice of Voluntary Dismissal with Prejudice as to Wakefield & Associates, LLC and Trans Union LLC, filed August 12, 2024. (ECF No. 20.) Turner seeks to voluntarily dismiss with prejudice all claims against multiple, but not all, Defendants in this case under Rule 41(a)(1)(A)(i). (Id. at PageID 108.)

Neither Wakefield & Associates, LLC nor Trans Union LLC filed an answer or a motion for summary judgment; therefore, dismissal by Rule 41(a)(1)(A)(i) is proper. (See id.) In multi-defendant matters, “Rule 21 provides the appropriate basis for dismissal” of less than all the Defendants. Henderson-Thompson v. Jardoyn, No. 2:22-cv-2013-MSN-cgc, 2022 WL 349896, at *2 (W.D. Tenn. Feb. 4, 2022) (citing Philip Carey Mfg. Co. v. Taylor, 286 F.2d 782, 785 (6th Cir. 1961)); see also Wilkerson v. Brakebill, No. 3:15-CV-435-TAV-CCS, 2017 WL 401212, at *2 (E.D. Tenn. Jan. 30, 2017) (collecting district court cases from within the Sixth Circuit that recognize that Rule 21, rather than Rule 41, is applicable when dismissing a single claim or defendant rather than an entire lawsuit). Rule 21 provides that, “[o]n motion or on its own, the court may at any time, on just terms, add or drop a party.” Dropping parties under Rule 21 functions as a dismissal of the party. See Henderson-Thompson, 2022 WL 349896, at *2.

Thus, all claims against Defendants Wakefield & Associates, LLC and Trans Union LLC are **DISMISSED WITH PREJUDICE** under Rule 21. This dismissal does not apply to Turner's claims against Defendants Equifax Information Services LLC, Experian Information Solutions, Inc., and Ability Recovery Services, LLC.

IT IS SO ORDERED, this 12th day of August, 2024.

s/ Sheryl H. Lipman _____
SHERYL H. LIPMAN
CHIEF UNITED STATES DISTRICT JUDGE